

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *ey* D.C.  
05 NOV -3 PM 5: 01

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TENNESSEE

UNITED STATES OF AMERICA,

Plaintiff,

v.

<sup>05</sup>  
No. ~~03~~-20077 B ✓  
05-20070 B

VERONDA JACKSON,

Defendant.

---

ORDER DENYING DEFENDANT'S MOTION TO DISMISS INDICTMENTS

---

Before the Court is the October 28, 2005 motion of the Defendant, Veronda Jackson, to dismiss her indictments in the above referenced matters. On March 8, 2005, two separate indictments were issued charging Jackson with violation of 21 U.S.C. § 841(a)(1), possession with intent to distribute and distribution of a controlled substance, for distribution of cocaine base and oxycontin, both of which are Schedule II narcotics. Based on a review of discovery provided by the government, Jackson alleges that "the United States did not present the grand jury with credible evidence from which an indictment could be returned," and, on this basis, requests that her indictments be dismissed. (Def.'s Mot. ¶ I.)

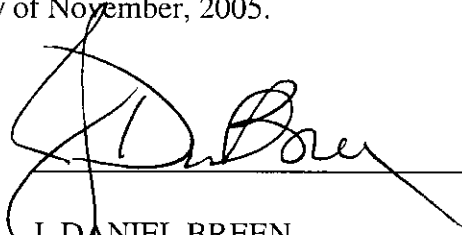
An indictment valid on its face is not subject to challenge on the grounds that the grand jury acted on insufficient evidence. See United States v. Arana, 13 F.Supp.2d 613, 614 (E.D. Mich. 1998), aff'd, 2002 WL 31269661 (6th Cir. Oct. 9, 2002), cert. denied, 537 U.S. 1076, 123 S.Ct. 667, 154 L.Ed.2d 574 (2002). As Plaintiff does not allege any deficiency with the indictments,<sup>1</sup> nor is

---

<sup>1</sup> Defendant has not alleged that the indictments did not include the elements of the offense intended to be charged, failed to notify her of what she must be prepared to meet, or did not permit her to

the Court aware of any, her motion must be DENIED.

IT IS SO ORDERED this 31 day of November, 2005.



J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE

---

invoke a former conviction or acquittal in the event of a subsequent prosecution. See United States v. Cor-Bon Custom Bullet Co., 287 F.3d 576, 579 (6<sup>th</sup> Cir.), cert. denied, 537 U.S. 880, 123 S.Ct. 90, 154 L.Ed.2d 136 (2002).



## Notice of Distribution

This notice confirms a copy of the document docketed as number 82 in case 2:05-CR-20077 was distributed by fax, mail, or direct printing on November 4, 2005 to the parties listed.

---

Edwin A. Perry  
FEDERAL PUBLIC DEFENDER  
200 Jefferson Ave.  
Ste. 200  
Memphis, TN 38103

Timothy R. DiScenza  
U.S. ATTORNEY'S OFFICE  
167 N. Main St.  
Ste. 800  
Memphis, TN 38103

Eric Scott Hall  
WAGERMAN LAW FIRM  
200 Jefferson Ave.  
Ste. 1313  
Memphis, TN 38103

Javier M. Bailey  
WALTER BAILEY & ASSOCIATES  
100 North Main St.  
Ste. 3002  
Memphis, TN 38103

William C. Anderson  
ANDERSON LAW FIRM  
369 N. Main St.  
Memphis, TN 38103

Honorable J. Breen  
US DISTRICT COURT